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for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

IRWIN LIPKIN, CAROLE LIPKIN, MARC  
LIPKIN, RUSSELL LIPKIN, and KAREN  
YOKOMIZO LIPKIN,

Defendants.

Adv. Pro. No. 10-04218 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL  
OF DEFENDANT MARC LIPKIN FROM ADVERSARY PROCEEDING WITH  
PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendant Marc Lipkin (the “Defendant”), by and through his counsel, Richard P. Galler, Esq. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On November 12, 2010, the Trustee filed and served the Complaint against Defendant and others not party to this Stipulation.
2. On April 21, 2011, Defendant served an answer on the Trustee.
3. On November 22, 2016, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Adv. Pro. No. 08-01789, Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendant Marc Lipkin in the above-captioned adversary proceeding. For the avoidance of doubt, nothing in this Stipulation shall be construed as dismissing defendants Russell Lipkin or Karen Yokomizo Likpin from this adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: November 29, 2016

**BAKER & HOSTETLER LLP**

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the Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**THE LAW OFFICE OF RICHARD P.  
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*Attorneys for Defendant Marc Lipkin*

**SO ORDERED**

**Dated: November 29, 2016**  
**New York, New York**

**/s/ STUART M. BERNSTEIN**  
**HONORABLE STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**